

FLOOD CONTROL ADVISORY BOARD

MINUTES

February 28, 2001

The monthly meeting of the Flood Control Advisory Board was called to order by Chairman Patel at 2:00 p.m. on Wednesday, February 28, 2001.

Board Members Present: Hemant Patel, Chairman; Shirley Long, Vice Chair; Mike Saager, Secretary; Melvin Martin; Ray Dovalina (for Tom Callow, Ex Officio); Paul Cherrington, Ex Officio.

Board Members Absent: Scott Ward.

Staff Members Present: Mike Ellegood, Chief Engineer and General Manager; Julie Lemmon, General Counsel; Tim Phillips, Project Manager; Russ Miracle, Planning Branch Manager; Joe Tram, Floodplain Branch Manager; Tom Johnson, Deputy Chief Engineer; Dick Perreault, CIP/Policy Branch Manager; Kathy Smith, Clerk of the FCAB; Monica Ortiz, Administrative Coordinator.

Guests Present: Ed Fritz, MCDOT; Brian Fry, Dibble & Assoc.; Burke Lokey, Coe & Van Loo; Tim Morrison, HDR; Jerry Zovne, Parsons.

1) **APPROVAL OF THE MINUTES OF THE MEETING OF JANUARY 24, 2001**

ACTION: It was moved by Mr. Martin and seconded by Mr. Cherrington to approve the minutes as submitted. The motion carried unanimously.

2) **EAST MARICOPA FLOODWAY CAPACITY MITIGATION & MULTI-USE CORRIDOR STUDY**

Tim Phillips, Project Manager, presented Resolution FCD 2001R006, which asks the Board of Directors to adopt the East Maricopa Floodway Capacity Mitigation and Multi-Use Corridor Study and recommend that the Maricopa County Board of Supervisors adopt the Corridor Study as a planning tool to maintain the hydraulic conveyance of the 100-year storm in the East Maricopa Floodway.

The primary purpose of the Capacity Mitigation Study was to identify solutions to mitigate conveyance shortfalls in the East Maricopa Floodway due to changes in development, develop concepts & preliminary costs, and to identify rights-of-way requirements. The purpose of the Multi-Use Corridor Study was to identify multi-use concepts, develop concepts & preliminary

costs, identify rights-of-way requirements, identify limitations & constraints, identify partners, and identify funding mechanisms.

The preliminary costs to implement the Capacity Mitigation Study are about \$45 - \$50 million, recognizing that the East Maricopa Floodway (EMF) is the District's facility. The District does not have cost-share partners in the mitigation aspect because the District is the owner operator and if it's undersized, the District is obligated to make up for the shortfall. Last year the District spent \$8.1 million to acquire land for two basins to be constructed adjacent to the Floodway. Within the proposed 5-year CIP, there is \$38 million budgeted over the next six years, essentially for the purposes for providing the flood control protection that's necessary for the East Maricopa Floodway. The Multi-Use Corridor Study, with all the recreation aspects, will cost about \$80 million, which will be funded by others.

Staff recommends that the Flood Control Advisory Board approve and recommend that the Board of Directors adopt Resolution FCD 2001R006 and recommend that the Maricopa County Board of Supervisors adopt the East Maricopa Floodway Capacity Mitigation & Multi-Use Corridor Study.

Discussion:

Martin: Isn't it unusual to rescind a motion that we've already passed?

Lemmon: We have done this a few times and it's not a problem unless there has been some kind of condemnation proceedings starting under that old Resolution. Before we ask the Board to undo a Resolution, we try to make sure nothing has happened that depended upon that legal basis. In this case, there is nothing that is on-going with it. We can rescind it and the only reason to do so is because all of these parcels are mentioned by section number. All of those people consider that as somewhat of a cloud on their title. If we rescind it then that problem goes away so they don't have to call here and find if a project is going to impact them.

Patel: Do we have a better understanding of why the difference in capacities? Is it the design criteria?

Phillips: When the SCS originally designed the Floodway, they assumed that the entire watershed was providing one inch of uniform rain retention. However, with development occurring, that obviously hasn't happened. There is not a uniform distribution. The other aspect of that is whether it's a concentrated flow or a sheet flow. The EMF was designed so that sheet flow at the east bank essentially goes over the bank into the Floodway. Where there was a uniform distribution of flows coming in has now been changed to a series of channels that collects upstream flows and delivers them to a concentrated point. So at certain places, particularly next to Williams Gateway, the channel capacity is too small to handle the increased peak flows delivered by the upstream side channels.

Patel: Explain to me the retention issue again. Was the assumption made in the original designs that the criteria were not used in the development that ensued?

Phillips: The original design was for one-inch rain retention over the entire watershed assuming that the land wasn't developed. Within each of the city jurisdictions they have their on-site retention requirements for the 100-year, six-hour storm. That's going to be different than a one-inch uniform retention over the entire watershed. So where you have developments that are now imposing the 100-year, six-hour requirement, runoff is being collected and held and in other undeveloped places it's not. It's not a uniform distribution across the watershed anymore.

Patel: So wherever we have had development where they have provided retention based on the local jurisdiction, are those areas better off?

Phillips: Looking at the future conditions for the East Maricopa Floodway, it's actually less than for the existing conditions. As time goes on, more areas develop and you get that uniform 100-year, six-hour retention across the entire watershed that ultimately flows to the EMF. The current

problem is you really have a mixture of the two and based on the hydrologic models as well as the hydraulic models, it shows that the facility is undersized.

Patel: Have we faced this situation anywhere else in the county where we're faced with a dilemma of investing a lot of money for a facility that's going to get less and less used.

Phillips: I don't know of any other places in the county where it's been this kind of issue.

Ellegood: I'm not certain that I do either Mr. Chairman. Certainly in the west valley, the Dysart Drain, and some of the outfall facilities that have been put in there have been sized to accommodate the development that we anticipate is going to occur. I think the same thing is true here.

Cherrington: Are there other facilities we have that were designed by the Soil Conservation Service we've inherited? Do we know whether we're going to be facing some problems?

Ellegood: Yes we have inherited a series of facilities from the Soil Conservation Service, most specifically several dams. We are, as you're probably aware, currently investigating each of these dams and developing mitigation because most of them are either functionally obsolete or distressed in one form or another.

Martin: Is the retention area 300 acres?

Phillips: Right – that's the land area that's there.

Martin: And we purchased that?

Phillips: We already owned 230 acres and we purchased a lower piece there of about 90 acres. It's between the Queen Creek Wash where it comes into the EMF so it's really an isolated piece that was south of our original parcel.

Martin: Are there roads going through it?

Phillips: A part of the Town of Gilbert's Master Plan calls for Ocotillo Road to go through there. It essentially goes through the middle of the basin site and we've been working with them. They know what concepts we have. There is some opposition from those that live on the east side in having that road come through, but Ocotillo Road is expected to ultimately go through there. It essentially bisects the basin site.

Martin: Have we run a road through the middle of one of our retention areas before?

Phillips: In this case it's really not a problem because of the large size of the basin. Moving the water from one side of the basin to the other or developing the multi-use concepts isn't a problem.

Martin: Is most of this water coming from the Williams Gateway Airport development?

Phillips: No, this water is coming from the entire area east of the EMF. The entire watershed goes into Pinal County, which drains all of that area.

Martin: As they develop the airport, are they retaining their own water?

Phillips: Yes.

Martin: I can't see how there can be more water when there's more development.

Phillips: As the development condition occurs, you're right. But right now it's a question of the timing of the runoff peaks. Whereas before water would hit the watershed and eventually sheet flow down to the EMF. Now there are places where channels are bringing it to the EMF quicker.

Martin: Do we have a 300-acre water retention area anywhere else?

Ellegood: I'm not familiar with the sizes of all our retention areas. Certainly the Indian Bend Wash retention/conveyance area is more than that. The area behind McMicken Dam is much larger than this size.

Phillips: We need about 1,000 acre-feet of storage. Depending upon how you can figure the depth of the basin, you're not necessarily going to use a basin that comes down off the edge of the 300 acres. It's a function of what depth you make the basin as to how much land area you need.

Patel: You're just asking for the approval of adopting this study as a planning tool, right? We're not moving forward with expenditures? If the need for the facility reduces as the development occurs, then the time-line for our actual construction project needs to be balanced with what's happening out there on the ground, right? So, by the time we come up with \$50 million dollars to do this project, usually years down the road, we may not need to spend those millions of dollars?

Phillips: No that's not true. What we're designing the basin for is for future conditions. The price tag to do that is \$38 million dollars, which will be taken out of the CIP over the next six years to build out those basins. Most of that money is in the out years. What we're currently doing is the design process for those two basins, and negotiating with the consultant for the design of those basins. It will probably be a year to a year and a half before the design is done. Then we'll start the construction phase of those basins. The proposed CIP budget lays out the dollars for the EMF mitigation and in the fourth, fifth, and sixth years is where the bulk of the dollars are that make up that \$38 million.

Patel: By the time we have the capacity on the ground, the conditions in the watershed will have changed.

Phillips: What we're designing for is the future condition that assumes it is in place. The difference in capacity that we need to mitigate is what we're building for.

Cherrington: Back to the Soil Conservation Service. There is some potential liability associated with an undersized project that doesn't handle the capacity. If they still are in business doing that, shouldn't they be participating?

Lemmon: The EMF was a local sponsor for the SCS project. We agreed that we would maintain it after the project was built so the federal money came in and built it and it was our project after that. That was an agreement that was made with the previous Board long ago to maintain the structure. Many of the dams we have now are a little bit of a different situation. They were built with SCS and some of the local sponsors were Natural Resource Conservation Districts that no longer are in existence. At some point the Board was approached again a long time ago and said would you please step in and the Flood Control District be the local sponsor. The Board agreed to do that. So, if you're asking me if there is some way we can go back to the feds and say that this is their problem, I think we pretty much accepted them the way that they were. In the case of the dams, there is some federal action going on right now in Congress to get money to repair a lot of the dams that they've built that are 30 to 40 years old. There is a possibility we may get some federal funds for the White Tanks and some of those dam rehabilitations. In this case, it's like the ACDC, we co-sponsored, said we would take it over and so I don't think we have any alternative to go back to the federal government on the EMF.

ACTION: It was moved by Mr. Cherrington and seconded by Mr. Saager to approve staff recommendations. The motion carried five to one, with a nay vote from Mr. Martin.

3) SANTAN FREEWAY DRAINAGE CHANNEL DESIGN CONCEPT REPORT IGA

Tim Phillips, Project Manager, presented IGA FCD 2001A005 with the City of Mesa and ADOT to cost share in preparation of the Santan Freeway Drainage Channel Design Concept Report.

ADOT is doing a study through their consultants. They will conduct the hydrology and hydraulics based on the models that the District already has in place. They will do survey mapping, traffic analysis, and horizontal/vertical geometry for the freeway (Guadalupe Road to the EMF) and ultimately prepare a concept design report. The cost of this effort is \$260,000 of which ADOT will pay \$200,000. Both the District and the City of Mesa's cost share is \$30,000 each and we are paying only for those aspects of drainage and utilities that are affected by the channel.

Staff recommends that the Flood Control Advisory Board approve and recommend that the Board of Directors approve IGA FCD 2001A005 for the Santan Freeway Drainage Study.

Discussion:

Patel: If the full channel were to be built, would that make the EMF smaller?

Phillips: We are changing the conditions by now concentrating the flow in the channel that's coming in at one point and that's a true statement. We are managing that so we know what the flow is and where it's coming in. By this analysis, we've made the assumption in the EMF capacity study that this channel was going to be in place. We've already accounted for these flows coming in from the freeway to that point.

Cherrington: The future conditions that you talked about in the last presentation assume that this channel you're going to study now is going to occur?

Phillips: Within the model you have to make an assumption as to what conditions you're going to look at. When we did the study of the EMF, we assumed that because of the desires of Mesa not to pass the water through, we took the gamble that the Santan Channel is a given condition, and that it will be in place. As the area develops, the water will go into that channel and the flow will be concentrated, coming into the EMF down at the end of the channel.

Cherrington: Is the EMF, north of the east and west alignment of the Santan Freeway, still undersized?

Phillips: No. This channel comes in just north of Williams Gateway Airport.

Martin: How old are the aerial photos?

Phillips: Probably one year old.

Patel: What kind of working arrangement do we have with Williams Gateway?

Phillips: They were involved in the whole process of the study effort of the EMF. Their concerns were not about their on-site development and the contribution. That's covered in the models that we've developed. Their issues are related to detention basins around the airport. We took that into account.

Martin: Where are they retaining their water now?

Phillips: They have on-site retention basins within the airport itself. There are certain provisions for building retention. The FAA rules don't say that you can't build retention or detention. It just says not to promote habitat. You want the water to be detained but then get it out as quickly as possible so you don't have birds coming in and promoting habitat. Within the airport properties, there are retention basins but they're managed a little bit different than a flood control basin that might have water in there for a longer period of time. They're also smaller facilities.

Martin: What you're trying to say is that they're passing the water through.

Phillips: Their basins are typically designed for lesser conditions than what we're doing. So ultimately you're correct. Any excess out of those basins will ultimately get to the facilities that we've built.

Patel: How aggressive are we in terms of approaching them as a cost share partner? That is more of an economic facility, right?

Phillips: The development of the Ellsworth Channel that is to the east of the airport picks up water and takes it around them. They've been asked to provide for the right-of-way across the Gateway property for this channel. As far as a financial cost share partner, I don't think we've asked them. One reason is because they are so early in their development and we are taking care of the issues that they are dealing with now. Their ultimate master plan is still a lot of years out. The participants at Williams Gateway are the City of Mesa and the Town of Gilbert. If we're looking for cost share, we leverage through the municipalities as opposed to going straight to Williams Gateway authority.

ACTION: It was moved by Mr. Martin and seconded by Ms. Long to approve staff recommendations. The motion carried unanimously.

4) CAVE CREEK DAM RESERVOIR

Russ Miracle, Planning Branch Manager, presented IGA FCD 99013, which allows the City of Phoenix to discharge treated effluent into the Cave Buttes Dam Reservoir.

The City of Phoenix will:

- ✍ Be granted the right to discharge treated effluent
- ✍ Provide 5-year estimates of flows to the District
- ✍ Reimburse the District's costs to remove sediment
- ✍ Lease District land required for the sediment removal
- ✍ Be responsible for the water volume and quality

The District will:

- ✍ Lease land to the City of Phoenix for the sediment removal and monitoring well
- ✍ Remove sediment to maintain reservoir capacity
- ✍ Provide 5-year estimates of costs

Staff recommends that the Flood Control Advisory Board approve and recommend that the Board of Directors approve IGA FCD 99013, which allows the City of Phoenix to discharge treated effluent into the Cave Creek Dam Reservoir.

Discussion:

Patel: Are there any vegetation issues?

Miracle: 404 issues were a concern. The IGA provides that Phoenix would either reimburse our costs or get the permits.

Patel: Who takes care of the maintenance?

Miracle: We will take care of it and the City of Phoenix will reimburse all of our costs.

Patel: Is there a term on the agreement in terms of how many years?

Miracle: If I recall, I think we put a 50-year term in it.

Martin: Where are they going to take the sediment?

Miracle: It is our responsibility and we will haul it away. We could use it or sell it. We don't see this as a significant revenue generator and it won't cost the District anything.

Cherrington: What level is the effluent treated to? Is it class A or A+?

Dovalina: It depends on the usage.

Johnson: To my recollection, it is tertiary treated water. Whatever is discharged into the wash is almost to the drinking water quality. With a little additional treatment you can probably drink it.

Patel: Is nitrate removed?

Johnson: I don't know the specific water quality perimeters that they're taking to get to the tertiary level, which I believe, is very low in nitrates. Most of that has been removed during the wastewater treatment process.

Miracle: Phoenix is required to get a NPDES permit for water quality discharges through the state and the Feds and that has been done.

Cherrington: Does Phoenix get recharge credits for doing this?

Miracle: Phoenix is willing to evaluate the potential for recharge. They did not see it as a fiscally feasible project to pursue, yet they're going to continue to look into it.

Cherrington: Are there private or municipal drinking water wells in the area?

Miracle: No, not that I know of.

Cherrington: How close are they?

Miracle: I don't know.

Patel: I believe that is part of the NPDES permitting process.

Cherrington: You talked about a monitoring well. Is that well for quality or mounding?

Miracle: Primarily for quality. It will be downstream at the discharge point and that is a NPDES requirement.

Cherrington: Just one well?

Miracle: That is my understanding.

Cherrington: Is there any potential for flows that accumulate in the reservoir getting into other streams?

Miracle: The water would collect above the dam in the reservoir and ultimately the only discharge point is through the dam to the downstream wash.

Cherrington: We'd need a storm big enough to cause an outflow from the reservoir.

Miracle: Through the principle outlet, correct.

Cherrington: Do you operate it from a low-level outlet?

Ellegood: There is a low-level outlet on the dam. It runs into the channel downstream.

Cherrington: For small level storms where you typically let water out of that basin, this water could be discharged downstream?

Ellegood: That is correct.

Cherrington: Is that a concern to us?

Ellegood: It would be pretty diluted at that point. I'm not certain it's a whole lot different than the current effluent disposal that goes on. We have the 27th Avenue and the 91st Avenue plants that discharge into the Salt River.

Patel: We do have other situations where effluent is being discharged?

Miracle: Certainly.

Cherrington: Does Phoenix have an alternative?

Ellegood: We have not investigated the alternatives with them. This came about two years ago. It was a joint meeting between Paul Kinshella and myself in which he asked us what our reaction would be. Considering the fact that it is treated water and would be used in its existing state to treat public open space it conceivably could provide an enhanced facility upstream of Cave Buttes Dam. It was always intended that it would be park-like. The fact that you're adding water to it would allow it to become more of a nature thing. It seemed to be in everyone's best interest that we allow that to happen. Without Mr. Kinshella being here, I could only guess what the alternatives would be. This did seem to make sense to us in the mutual best interest of both the City and the District.

Cherrington: Do we have any other facilities anywhere in the county where we accept something like this?

Lemmon: I believe that there's an NPDES on Indian Bend Wash and on the EMF near Williams. It might help if you look at the drawing where they're discharging. We don't own that property is that correct?

Miracle: That's correct.

Lemmon: We can't tell them they can't discharge any pipeline up there. This IGA is an attempt to have Phoenix help mitigate the cost the District could accrue from the water flowing through an area we don't own or control pursuant to a federally issued NPDES permit and down into the reservoir which we do own and control. We wouldn't be able to tell them to stop. What we would be able to do is say we're being damaged by that and this is Phoenix's way of trying to identify and mitigate up front the extra costs that may accrue to the District for maintenance because of their discharges. I'm not sure that we'd be able to tell them they could not discharge into that wash because that's federal responsibility.

Cherrington: If you had concerns you could comment in the public process for a NPDES permit.

Lemmon: We could still do that. The IGA doesn't say we can't comment on the quality. In fact, the IGA allows us to receive the information directly so that our water quality people could look at it and comment and address the concerns with the federal agency or the state in the program. Is that correct Russ?

Miracle: The land is owned by Arizona State Lands and they already have the easements to discharge from State Lands.

Cherrington: The estimated volume is 240-acre feet per year?

Miracle: The actual volume depends on how many houses are built in the contributing service area. They're guessing at this point.

Cherrington: Is that the ultimate volume?

Miracle: That was their initial estimate over the next six years.

Martin: Where is their treatment plant now?

Miracle: The treatment plant is just upstream of the CAP.

Martin: Do they pump it all the way up there to the discharge?

Miracle: Yes. It's their best effort to get rid of the water in a beneficial way.

Saager: How much of an imposition would it be to postpone this? It doesn't seem like there are any major issues but there are a few minor questions that don't seem like they were answered. It seems like a pretty easy punch list to find out in the next week or two and put it on the agenda for next month.

Long: Clarification is important when dealing with treated water issues.

Ellegood: We could continue with this for next month.

Patel: Let's get someone from the City to answer some of these questions.

Martin: Let's be specific about which questions we want:

1. How many wells are in the area?
2. What is the water quality?
3. How is the gradation treated?

Miracle: We can certainly address those. What I want to make clear and you should understand is that Phoenix is constructing the pipeline now. They are in the process of testing it.

Cherrington: Then why are we asking?

Miracle: The IGA is an agreement between Phoenix and us to make sure the District is not damaged.

Patel: What about the Tres Rios Project. Isn't that similar as well with the effluent discharge?

Ellegood: The Tres Rios project was born out of the same sort of issue. The effluent from the 91st Avenue sewage treatment plant, because it's being discharged into waters of the United States, had water quality questions and issues that came up. At the same time, the habitat was forming downstream with the 91st Avenue Treatment Plant so everybody wanted the water to continue. Over the years, Tres Rios was evolved through SROG's participation to clean the water better through the establishment of the wetlands and thus meet the water quality questions and issues that came out of the discharge issue. It's the same fundamental project. Considerably more engineering is involved in it.

Patel: The District's environmental employees are happy with how this project is going to be run compared to what they've learned from the Tres Rios?

Ellegood: That's correct. The questions posed by this Board are valid and next month we can have the City of Phoenix here to answer questions as well as to satisfy some other issues.

ACTION: It was moved by Mr. Saager and seconded by Mr. Martin to postpone this item until a representative from the City of Phoenix or a water specialist can address the Advisory Board's questions. The motion carried unanimously.

5) FISCAL YEAR 2001-2002 PLANNING PROGRAM

Russ Miracle, Planning Branch Manager, presented Resolution FCD 2001R005, which authorizes the District to contract for the planning studies and to acquire rights-of entry for the studies.

There are eight Area Drainage Master Plan (ADMP) Studies that are ongoing and that will continue into next fiscal year. Five new ADMP Studies will be initiated. The District will be continuing one Watercourse Master Plan and initiate two others. Other studies that the District will do:

- ✍ Look at existing structures and see what other uses they may be put to
- ✍ Identify unsightly structures to see if there is anything the District can do to make them better
- ✍ Conduct Candidate Assessment Reports
- ✍ Conduct ADMS Hydrology Model Updates

The proposed budget is for \$6,360,000 and is funded in both the District's operating and CIP budgets and is still subject to the District's annual budget to be approved by the Board of Directors.

Staff recommends that the Flood Control Advisory Board approve and recommend that Board of Directors approve the Planning Studies for next year.

Discussion:

Patel: What is the time-line for these projects? Once the budget is approved do they all get started immediately?

Miracle: We have four that we are scoping right now that we're trying to get started as quickly as we can. Yet we don't want to unload all of these studies all at once. It impacts our Contracting Branch's ability to process. It impacts our Engineering Division's ability to review them. We like to spread them out as much as we can. We want them done as soon as we can. The new studies will be initiated in the early portion of the fiscal year.

Martin: Are we not doing any in-house planning?

Ellegood: Typically no. The planning effort is quite extensive. We will typically contract for most of the technical development. Much is done in-house, particularly the project management, public involvement, the coordination with affected municipalities and communities, and the technical review. The consultant community has completed the documents and done the actual production of the work.

Martin: Is it let out in one contract or numerous contracts?

Ellegood: It's typically let out in numerous contracts. We will take a particular watercourse master plan or area drainage master plan and advertise for a short list and select a consultant to do a particular water course master plan or area drainage master plan. You may recall a month ago we heard about the Queen Creek and Sanokai Wash Area Drainage Master Plan. They were done by a consultant under the project management of Tim Phillips. The water course master plan on the Agua Fria has been done by a separate consulting team consisting of four or five sub-consultants under Doug Williams' oversight. Each study is a separate consultant contract. Each one comes before the Board of Directors for approval.

ACTION: It was moved by Mr. Cherrington and seconded by Mr. Dovalina to approve staff recommendations. The motion carried unanimously.

6) FLOODPLAIN DELINEATION PROGRAM PLANNING INITIATIVE

Joe Tram, Floodplain Branch Manager, presented the Zone A Floodplain Delineation Program for inclusion in the budget for fiscal year 2000/2001.

The purpose of this program is to:

- ✍ Comply with ARS 48-3609

- ✍ Comply with the National Flood Insurance Program
- ✍ Minimize the loss of life and property
- ✍ Minimize the need and necessity to mitigate or remediate flood problems
- ✍ Be used for review of development, planning purposes and act as the benchmark for future ADMS/ADMPs.
- ✍ Stay ahead of current and projected population growth

The District is proposing four additional watershed delineations for approximately 1,200 linear stream miles with a total cost of \$2.7 million. Approximately \$1.7 million will be out of next year's fiscal budget. The District is also proposing to do approximately 500 linear stream miles and incorporate them into the Planning studies. Currently, the District has approximately 25 on-going studies for a total of 3,184 linear stream miles.

Staff recommends that the Flood Control Advisory Board approve the continuance of the Zone A Floodplain Delineation Program for the next fiscal year.

ACTION: It was moved by Mr. Martin and seconded by Mr. Cherrington to approve staff recommendations. The motion carried unanimously.

7) COMMENTS FROM THE CHIEF ENGINEER AND GENERAL MANAGER

Mr. Ellegood expressed appreciation to those that were able to attend the FCAB Retreat. One of the items of discussion that we were unable to resolve was the issue of Cost Sharing. Mr. Ellegood has asked District staff to try to come up with an internal Cost Share policy, possibly patterned after the Federal policy. Every policy established has to have some provisions for making exceptions, and the District is looking at ways and means of dealing with that.

Mr. Ellegood mentioned that Paul Cherrington offered the SRP helicopter to tour some of the District's facilities and drainage basins in Maricopa County. The next date the Advisory Board meets is March 28, but the helicopter is not available that day. This can be planned for sometime in April, unless the Board would like to have a separate meeting. This would mean that the FCAB would need to convene a little earlier and then take the helicopter tour.

It was recommended by some members of the Advisory Board that Mr. Elliott Pollack attend a future FCAB meeting and make a brief presentation on the Valley's economic forecast. There will be a cost involved. Mr. Patel asked members of the Board if this is something they would find helpful and they responded in the affirmative.

At the last FCAB meeting, Mr. Ellegood discussed the issues in Scottsdale with the Alluvial Fan and the concerns about the Desert Greenbelt and the defeat of it. Last week, the District was able to take several members from the City of Scottsdale to the Arid Regions Conference in Albuquerque in which there were several papers presented dealing with the Alluvial Fan issue. The folks that were able to attend from the City were the new City Manager, Jan Dolan, John Little who is the Transportation Director, and Daniel Basinger who is a member of the Environmental Quality Board. The idea for taking them was to try to get them a little smarter on what the National concern is over the Alluvial Fan flood hazard. At the same time, to become aware of some of the current methods of identifying a danger and methods of mitigation. They learned a lot and came back quite enthusiastic. Mr. Ellegood mentioned that they heard some interesting papers on geologic analyses of alluvial fans and geomorphologic analyses of alluvial fans as well as the conventional hydraulic method. Given that, Mr. Ellegood thinks that the next approach in the north Scottsdale area will be for either the District or Scottsdale (or some

combination) to do a study of the alluvial fan hazard using these three methods and overlay them to determine what the hazard really is. That appears to be a direction the City of Scottsdale is headed.

Mr. Ellegood noted that there are two new issues that the Board may be asked about during the course of this month. The District is currently doing a Floodplain Delineation in Rio Verde. The District has some preliminary results that are quite dramatic in that it appears that much of the developable area in Rio Verde is in a flood hazard area of one form or another. The District is using the results of this preliminary study to caution people about acquiring property there and being careful what their expectations are. This has created some concern on behalf of the real estate interests, property owners, and developers. The District has met on a couple of occasions with representatives of the community as well as developer interests and is working through this issue. Supervisor Don Stapley has been involved and basically directed the questions to the District.

The second item is the Arlington School, which lies in the designated floodway in the Gila River. The school is about 50 years old, it's been flooded at least three times, and they had a fire that destroyed one of the classroom wings. It appears the fire destroyed in excess of 50% of the school and the District has taken the position that they will not be allowed to reconstruct the school facility. There has been a question raised as to is it really in a flood hazard area with the collapse of Gillespie Dam, maybe the hydraulics have changed and is not in the backwater pool. The District doesn't know what the disposition of Gillespie Dam will be, as it's still under litigation on another issue, so it must be dealt with carefully. If the District were to say that they couldn't rebuild, then the question comes up as to what are the District's obligations, if any. Does the District have the responsibility just to say they can't rebuild and let them figure out what they are going to do? Does the District have some responsibility to acquire the property? At some point, the District will come back to the FCAB with a recommendation as to how it should be handled. Mr. Ellegood indicated that he has been in close contact with Mr. Ron Fletcher, who is the Superintendent of Schools there. They have some opportunities to get some land free and clear upon which to construct a new school, but there is a lot of costs associated with construction. Again, this may be an issue that this Board may be involved with.

Mr. Martin asked if they had insurance on the school. Mr. Ellegood indicated that they did. He met with their insurer who said the insurance is limited to approximately \$300,000. The school may be able to get \$0.5 million from the State Facilities Board to take care of deficiencies in the existing building. If it's determined that if the District has some responsibility or some cause to acquire the property, the costs would be looked at and be brought back to this Board and the Board of Supervisors as a project. Mr. Patel asked if the District has an obligation to purchase everything in the floodway. Mr. Ellegood responded that the District does have the authority to do that. According to the District's authority, 5% can be spent from the CIP budget to acquire flood prone property and this could fall within that category. Each situation needs to be dealt with on a case-by-case basis.

Mr. Ellegood noted that the Board was briefed in Executive Session on the Rockland Materials issue. There is no change on that.

Mr. Patel asked the Board if they have any ideas for District staff on the Cost Sharing issues. Mr. Patel feels this is an area where it would behoove the Board to help staff in formulating a better or more consistent policy. Mr. Martin mentioned that since he has been on the Board, this issue has been addressed two or three times. In the past it's gone from 40% to 55% and he believes the recommendation before was that the District try to negotiate around 50%, but not any lower than

40%. Mr. Patel indicated that the issue that has come up is what happens when a sponsoring city doesn't have access to the funds needed. Mr. Martin mentioned that there have been exceptions, such as Guadalupe. Mr. Ellegood explained that a number of client cities have objected to the policy as stated for a variety of reasons. They have claimed that they just don't have the money for a cost share of this magnitude. Does the District just throw up their hands and say they don't have a project and then have to come back in two or three or ten years and put more money into it whereas something could have been built earlier. The reason this issue keeps coming back is that the District is having trouble implementing the policy. Given the fiscal restraints of some of the client cities, Mr. Ellegood believes the policy needs to be reviewed and come up with something more practical. The earlier policy was based on a directive from one of the members of our Board of Directors, that they wanted a 50/50 cost share. The District starts their negotiations at that 50/50 level. Very quickly negotiations tend to break down and ultimately end up with some negotiated amount. Mr. Ellegood stressed that the District needs to get beyond that and say that this is the Cost Share Policy and if an exception is needed, they will have to go before the FCAB and explain why and then it will have to go to the Board of Directors. The District has been asked by client cities to review the policy and Mr. Ellegood feels this needs to be done. Mr. Patel suggested that if any of the Board members have any thoughts in this area that they forward them to Mr. Ellegood. Mr. Patel asked if it would be better to discuss this issue at a regularly scheduled meeting or if a special meeting should be called for this? Without making a commitment, Mr. Ellegood indicated that he would like to come back next month with a recommendation to the FCAB.

Ms. Long expressed her regret at not being able to participate in the retreat due to a miscommunication.

Ms. Lemmon mentioned that at the last Board meeting, Mr. Saager had a lot of questions about how the District interacts with Pinal County. Ms. Lemmon talked with the attorney in Pinal County who advises the Planning & Zoning Board about their Floodplain and Drainage Regulations and they have adopted regulations that require retention and said that with the new developments there should not be increased flows at the border area. This attorney suggested that perhaps the District arrange some informal talks with Pinal County's Public Works and Planning & Zoning Director about what is happening on the border.

8) SUMMARY OF RECENT ACTIONS BY THE BOARD OF DIRECTORS

Mr. Ellegood mentioned that the actions of the Board of Supervisors are included in the FCAB packet.

9) OTHER BUSINESS AND COMMENTS FROM THE PUBLIC

There was no other business or comments from the public.

The meeting was adjourned at 4:15 p.m. by general consent.

Mike Saager
Secretary of the Board

Kathy Smith
Clerk of the Board